

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **CV 22-2401-KK-Ex**

Date: December 5, 2023

Title: ***Line One Laboratories Inc. USA v. Wingpow International Limited, et al.***Present: The Honorable **KENLY KIYA KATO, UNITED STATES DISTRICT JUDGE**

Noe Ponce

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

Proceedings: (In Chambers) Order to Show Cause Why Action Should Not Be Dismissed for Failure to Prosecute and Comply with Court Orders

On October 4, 2023, the Court issued an Order in this matter requiring the parties to participate in a Settlement Conference no later than November 30, 2023. ECF Docket No. (“Dkt.”) 114 at 1. The Court additionally instructed the parties to file a Status Report indicating whether the case has settled, “no later than 24 hours after the settlement proceeding is completed[.]” Id. at 3. The Court warned the parties that failure to comply with the Order may result in sanctions. Id.

The Parties were, therefore, required to participate in a Settlement Conference by November 30, 2023, and have the required Status Report filed, at the latest, by December 1, 2023. To date, however, the Court has not received a Status Report. Thus, the parties are in violation of the Court’s October 4, 2023 Order.

Pursuant to Federal Rule of Civil Procedure 41(b), the Court may dismiss this action with prejudice for failure to prosecute or failure to comply with a court order. See FED. R. CIV. P. 41(b). Before dismissing this action, the Court will afford Plaintiff an opportunity to explain its failure to file the Status Report as directed by the October 4, 2023 Order.

Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE** in writing why sanctions should not be imposed and/or this action should not be dismissed for failure to prosecute and/or comply with court orders. Plaintiff shall have **up to and including December 12, 2023** to respond to this Order.

Plaintiff is expressly warned that failure to timely file a response to this Order will result in this action being dismissed without prejudice for failure to prosecute and comply with Court orders. See FED. R. CIV. P. 41(b).

IT IS SO ORDERED.